

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

MINUTES OF CIVIL JURY/NON JURY TRIAL

Presiding Judicial Official Catherine D. Perry **Date** 2/02/10 **Case No.** 4:06-md-1811-CDP

In Re Genetically Modified Rice

Parties present for ☒ JURY TRIAL ☐ NON JURY TRIAL Day 16

Court Reporter T. Hopwood Deputy Clerk K. Hisaw

Attorney(s) for Plaintiff(s) D. Downing, G. Garrison, W. Chaney, S. Powell, J. Sapp, A. York

Attorney(s) for Defendant(s) M. Ferguson, G. Summers, J. Hughes, J. Jones, V. Gibbs

Jury impaneled and sworn. ☐ Opening Statement(s) of ☐ Plaintiff(s) ☐ Defendant(s) made.

☐ Plaintiff(s) evidence ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☒ Defendant(s) evidence ☐ resumed ☐ and ☒ but not ☒ concluded.

☐ Plaintiff(s) evidence in rebuttal ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Defendant(s) evidence in surrebuttal ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Oral ☐ Written Motion for Judgment as a Matter of Law at close of ☐ pltf's case ☐ def't's case

☐ filed ☐ made/argued by ☐ pltf(s) ☐ def't(s) ☐ _____ and is ☐

Overruled/Denied ☐ Sustained ☐ Court's ruling reserved ☐ taken under submission ☐ taken with the case.

☐ Closing Arguments of counsel made. ☐ Case taken under advisement.

☐ (Simultaneous) briefs due _____. ☐ Case is settled. Dismissal papers due _____.

☐ Jury charged and retires to consider its verdict(s) at ____ am/pm ☐ Verdict(s) returned at ____ am/pm

☐ Jury having been given a special verdict in the form of written interrogatories for finding of fact,
retires to consider its verdict(s) at ____ am/pm ☐ Verdict(s) returned at ____ am/pm

☐ Jury unable to agree upon its verdict(s) by ____ am/pm is excused to resume deliberations ____ at ____ am/pm ☐

The Court declares a MISTRIAL. ☐ Trial is reset _____.

☐ On motion of ☐ plaintiff ☐ defendant ☐ Court the jury is polled.

☒ Proceedings to continue 02.03.10 at 8:45 a.m.

☐ Judgment is entered accordingly this date. ☐ Depositions ☐ Exhibits retained by ☐ Court ☐ Counsel.

PROCEEDINGS COMMENCED: 9:00 a.m. - 12:00 p.m. **CONCLUDED:** 12:30 p.m. - 2:15 p.m.

Jury Instruction Conference 2:30 p.m. - 4:20 p.m.